IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 25TH JUNE 2007 / 4TH ASHADHA 1929

WP(C).No. 19345 of 2007(C)

PETITIONER:

BENNY AGASTHY, AGED 37 YEARS,
S/O.LATE AGASTHY, KADIYANMALAYIL HOUSE,
KUNNAPPALLY, PERUVA P.O., MULAKKULAM VILLAGE,
VAIKOM TALUK, KOTTAYAM.

BY ADV. SRI.P.K.SHAJU
SRI.SHAJI JOSEPH

RESPONDENTS:

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1. DISTRICT COLLECTOR, KOTTAYAM
COLLECTORATE, KOTTAYAM.

2. THE REVENUE DIVISIONAL OFFICER, PALAI

3. TAHSILDAR, VAIKOM TALUK OFFICE,
VAIKOM.

4. VILLAGE OFFICER, MULAKKULAM VILLAGE.

5. THE EXECUTIVE ENGINEER, PWD, KOTTAYAM.

6. JAMES CHACKO, AGED 45 YEARS, S/O.CHACKO,
VAREEKKAL HOUSE, KUNNAPPALLY, PERUVA P.O.
MULAKKULAM VILLAGE, VAIKOM TALUK, KOTTAYAM
DISTRICT.

BY GOVERNMENT PLEADER SRI. I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.19345 OF 2007

DATED THIS THE 25th DAY OF JUNE, 2007

JUDGMENT

The petitioner complains of illegal filling up of paddy lands by the 6th respondent which makes cultivation of the petitioner's properties difficult. The petitioner has filed Ext.P1 petition before the 1st respondent. The petitioner seeks a direction to the 1st respondent to consider and dispose of Ext.P1. The learned Government pleader points out that the appropriate authority to consider the complaint of the petitioner is the R.D.O., who is the authority under the Kerala Land Utilisation Order, which is the Act applicable.

2. After hearing both sides I dispose of this writ petition with the following directions.

The petitioner may file another petition before the 2nd respondent within two weeks from today. On receipt of the petition, the 2nd respondent shall consider the same in accordance with Kerala Land Utilisation Order and pass appropriate orders thereon after affording an opportunity of being heard to the petitioner, the 6th respondent or others, if any who may be affected by the orders to be passed as

expeditiously as possible, at any rate, within one month from the date of filing the petition by the petitioner.

S. SIRI JAGAN, JUDGE

Acd